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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Fredy J Hernandez,

10 Plaintiff,

11 v.

12 Charles L Ryan, et al.,

13 Defendants.
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No. CV-19-04885-PHX-JJT (ESW)

ORDER

15 Pending before the Court is Plaintiff's "Reconsideration of Plaintiff's Motion of
16 Expert Witness Appointment Pursuant to Rule 706(a) Fed. R. Evid—Plaintiff Requested
17 Early—" (Doc. 81).

18 Motions for reconsideration should be granted only in rare circumstances. *See*
19 *Carroll v. Nakatani*, 342 F.3d 934, 945 (9th Cir. 2003). "Reconsideration is appropriate if
20 the district court (1) is presented with newly discovered evidence, (2) committed clear error
21 or the initial decision was manifestly unjust, or (3) if there is an intervening change in
22 controlling law." *School Dist. No. 1J, Multnomah County*, 5 F.3d at 1263; *see also* LRCiv
23 7.2(g)(1) ("The Court will ordinarily deny a motion for reconsideration of an Order absent
24 a showing of manifest error or a showing of new facts or legal authority that could not have
25 been brought to its attention earlier with reasonable diligence."). Such motions should not
26 be used for the purpose of asking a court "to rethink what the court had already thought
27 through – rightly or wrongly." *Defenders of Wildlife v. Browner*, 909 F.Supp 1342, 1351
28 (D. Ariz. 1995) (internal quotation marks and citation omitted).

1 Plaintiff's Motion (Doc. 81) does not present any basis that warrants reconsideration
2 of the Court's Order (Doc. 75) and will be denied.

3 **IT IS ORDERED** denying Plaintiff's "Reconsideration of Plaintiff's Motion of
4 Expert Witness Appointment Pursuant to Rule 706(a) Fed. R. Evid—Plaintiff Requested
5 Early—" (Doc. 81).

6 Dated this 15th day of May, 2020.

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Honorable Eileen S. Willett
United States Magistrate Judge
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